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Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Steps to promote the achievement of a nuclear-weapon-free zone in the Middle East and the realization of the goals and objectives of the 1995 resolution on the Middle East

Report submitted by Australia

1. Australia fully supports the establishment of an effectively verifiable Middle East zone free of nuclear weapons and their means of delivery that is freely arrived at by Member States.

2. Australia underlines the importance of working towards substantive outcomes from the 2010 Review Conference which assist progress towards such a zone. Any such progress will need to take account of the legitimate security needs of all regional States.

3. Australia has voted in favour of the annual General Assembly resolution calling for the establishment of a nuclear-weapon-free zone in the region of the Middle East freely arrived at among States of the region.

4. It has also joined consensus on the annual General Conference resolution of the International Atomic Energy Agency (IAEA), entitled "Application of IAEA safeguards in the Middle East". Australia is active in efforts to achieve universal application of nuclear safeguards measures in the Middle East and elsewhere.

5. Australia supports universality of the Treaty on the Non-Proliferation of Nuclear Weapons and consistently calls upon Israel, the only regional State not to have joined the Treaty, to accede to it as a non-nuclear-weapon State as soon as possible. While Israel remains outside the Treaty, it should abide by the non-proliferation and disarmament principles contained in it.

6. The Additional Protocol on strengthened IAEA safeguards offers Middle East States an important confidence-building opportunity. Australia encourages the adoption by all Middle East States of an Additional Protocol with the IAEA without delay or precondition. It is in the interests of *all* regional countries if the strengthened safeguards system can prevent the emergence of more nuclear-capable States.

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7. Australia welcomed the adoption by the Security Council of its resolutions 1696 (2006), 1737 (2006), 1747 (2007) and 1803 (2008), which made mandatory the calls made by the Board of Governors of IAEA for the Islamic Republic of Iran to implement a suspension of enrichment-related activities. It also welcomed Council resolution 1835 (2008) in which the Council reiterated the need for the Islamic Republic of Iran to comply with the binding resolutions. Australia endorses the action taken by the Board on the nuclear programme of the Islamic Republic of Iran. This includes the Board's resolution of September 2005, in which it finds that the many failures and breaches of its obligations to comply with its Treaty safeguards agreement on the part of the Islamic Republic of Iran constitute non-compliance in the context of article XII.C of the Agency's statute. Australia has joined with the international community in urging the Islamic Republic of Iran to resolve the continuing international concerns about its nuclear programme and to encourage the Islamic Republic of Iran to cooperate fully with IAEA to resolve outstanding questions about its nuclear programme.

8. Australia shares the concerns of the international community about the findings contained in the IAEA report of 19 February 2009 that the Syrian Arab Republic is not cooperating with the Agency's investigation to determine the nature of the Syrian Arab Republic activities at the suspected covert nuclear site at Al Kibar and that since the Agency's November report, additional particles of uranium have been discovered which are not of a type that the Syrian Arab Republic has declared to IAEA. It is imperative that the Syrian Arab Republic provide IAEA further access to the site at Al Kibar and the debris cleared from the site, as well as access to the three other locations identified as relevant to the Agency's investigations and documentation in support of the claim made by the Syrian Arab Republic that the destroyed building at Al Kibar was a military installation, not a nuclear facility. The onus is on the Syrian Arab Republic to prove that its intentions were exclusively peaceful.

9. While all countries of the Middle East need to take the initiative in developing a Middle East zone free of weapons of mass destruction and their means of delivery, membership of and adherence to existing treaties and instruments would be a step towards this aim. Australia contributes to the goal of such a zone through its efforts to achieve universal membership of the Non-Proliferation Treaty, the Comprehensive Nuclear-Test-Ban Treaty, the Biological Weapons Convention and the Chemical Weapons Convention, and its active support for the International Code of Conduct against Ballistic Missile Proliferation, adopted in The Hague.

10. Australia acknowledges the difficulty of achieving disarmament and non-proliferation goals without concurrent efforts to address the underlying political tensions that drive international conflicts. In this context, Australia urges all Member States to work for a secure regional political environment that is conducive to disarmament, non-proliferation and the creation of a Middle East zone free of weapons of mass destruction and their means of delivery. Australia is committed to a two-State solution to the Israeli-Palestinian conflict based on Israel's right to live in peace with secure borders and the legitimate aspirations of the Palestinian people for a State of its own.